



MINUTES
COLORADO STATE BOARD OF NURSING
FULL BOARD MEETING
WEDNESDAY, APRIL 28, 2010

MEMBERS: DEBORAH ARCHULETA, RN; CANDACE BERARDINELLI, PhD; RN, VICE PRESIDENT; PEGGY BUNKE, RN, NP; LISA DAVIS, RN; VICKI ERICKSON, PhD, NP, RN; TONI GIBBONS, LPN; CAROLYN JEFFERSON-JENKINS, PhD; CURTIS POWELLS, RN; SANDRA SUMMERS, DNP, RN, PRESIDENT; BETTY WOLFE, LPN; AND BARTLETT WRITER

PRESIDING: VICKI ERICKSON, PhD, NP, RN, PRESIDENT

COUNSEL: LAYNIE GILIDA, ASSISTANT ATTORNEY GENERAL

STAFF: MARK MERRILL, PROGRAM DIRECTOR; AND BRIAN PARK, ADMINISTRATIVE MANAGER

Tab

1. Convene and Roll Call (9:05 A.M.)

Vicki Erickson, PhD, NP, RN, President, called the meeting to order and conducted a roll call of the Board members present. The Board members present introduced themselves to the audience.

2. Approval of Minutes (9:14 A.M.)

After discussion, a motion was made, seconded and carried to approve the minutes of the [January 27, 2010](#) Full Board Meeting.

3. Program Director's Report

Mark Merrill, Program Director gave a report to the Board regarding the following information and updates:

Director Merrill made a staff correction of Laynie Gilida as the Assistant Attorney General at the meeting in place of Sr. Assistant Attorney General Y.E. Scott.

Director Merrill announced the hiring of new Board staff member, Brian Park, as the new Administrative Manager replacing Megan Griffith.

Director Merrill announced that Barbara Kelley, the Executive Director of DORA would not be attending the Board meeting as scheduled.

Director Merrill gave an update to the Board about the financial savings that the Board of Nursing staff has realized since the implementation of Diligent Boardbooks software for Board meetings.

Director Merrill discussed the National Council State Boards of Nursing (NCSBN) midyear meeting, which was held on March 8, 2010 through March 10, 2010. Mark Merrill and Vicki Erickson attended the NCSBN midyear meeting representing the Colorado State Board of Nursing. Mark Merrill attended the State Executives meeting and discussed the issues which were addressed including, technology based data collection, and discipline in compact states. Vicki Erickson attended the Board Presidents meeting which addressed the complexity of various state boards of nursing, and data collection and utilization.

4. Policy Changes

The Board reviewed a memorandum from Program Director Mark Merrill outlining the proposed changes to the following Board policies:

- After discussion, a motion was made, seconded and carried to adopt Policy 40-10: Designation of Complementary Rules and Regulations as amended.
- After discussion, the Board provided guidance for Policy 50-03: Clarification of establishment of residency in Colorado when changing residency from another compact state.
- After discussion, a motion was made, seconded and carried to adopt Policy 60-06: Faculty Waiver Submissions for Nursing Education Programs as amended.
- After discussion, a motion was made, seconded and carried to adopt Policy 60-09: Submission of Educational Material for Board Consideration.

5. Open Forum – (10:16 A.M.)

Testimony was given to the Board by the following:

1. Deb Banik, Dean of Nursing from the Denver School of Nursing addressed the Board regarding the Denver School of Nursing enrollment.
2. David D. O'Donnell, President from the Denver School of Nursing addressed the Board regarding the Denver School of Nursing enrollment.
3. Mary Nifong, Nursing Program Director from Pikes Peak Community College addressed the Board regarding accreditation.
4. Betty Bailey, College Campus Chair from the University of Phoenix addressed the Board about NCLEX pass rates.
5. Dodie Serafin, Nursing Program Chair from National American University (NAU) addressed the Board regarding NAU's Phase III application.

6. Hollie Campanella, School of Nursing Dean from Platt College addressed the Board regarding Phase IV application.
7. Mark Kunimune, Assistant Director from Pickens Technical College addressed the Board regarding DNEP evaluation and NCLEX pass rates.
8. Sandra Haynes, Dean from the School of Professional Studies at Metropolitan State College of Denver addressed the Board regarding Phase I application.
9. Tamara Parks, Director from Emily Griffith Opportunity School addressed the Board regarding NLNAC candidacy.
10. Y.E. Scott, Senior Assistant Attorney General addressed the Board about general nursing.
11. Shari Redden, Director of Nursing from Concorde Career College addressed the Board regarding full Board approval.
12. Ric Dagnello, ADN Program Coordinator from Colorado Technical University addressed the Board regarding concerns about enrollment accuracy and pass rates.
13. Angie Strawn, Associate Dean from the University of Phoenix addressed the Board regarding Board action.

6. **Recess (11:02 A.M.)**

The Board took a brief recess and reconvened the meeting at 11:17 A.M.

7. **Nursing Education Reports (11:17 A.M.)**

The Board reviewed memorandums and attachments from Roberta Hills, Education Specialist regarding the following:

Phase I Applications:

- Florida Hospital College of Health Sciences, Denver Campus—BSN hybrid nursing education program and an affiliate of the Adventist system
After Board review and deliberation on documents and materials presented, the Board voted to deny Phase I Recognition and offered the University an opportunity to reapply and address the areas needing clarified.
- Metropolitan State College of Denver (MSCD)—traditional BSN nursing education program
After Board review and deliberation on documents and materials presented, the Board voted to accept the impact study and grant Recognition of the Phase I application for admission of 24 students annually and to allow MSCD to submit a Phase II application.

Phase II Applications

(No applications were submitted)

Phase III Applications:

- Colorado Technical University (CTU), Pueblo Campus–ADN
After Board review and deliberation on the post graduation data submitted by CTU and the Board voted to accept the data and evaluation report and requested that graduate and employer data be provided in the upcoming Phase IV request for Full Approval application.
- National American University (NAU), Denver Campus– ADN
After Board review of the site visit report and NAU's response, the Board voted to accept the report and response and grant NAU time to correct non-compliant issues not to exceed the time required for the Phase IV request for Full Approval application.
- Academy of Medical and Health Sciences, Pueblo, CO —PN
After Board review of student data obtained from graduate and employer evaluations, the Board voted to accept the report and asked the Academy to develop an action plan for their below average pass rates, and that the Academy provide aggregate data evaluation in the required Phase IV request for Full Approval application.

Full and Continuing Full Approval

Curtis Powells recused himself, left the room and did not participate in the discussion or vote on this case. Time: 10:44 A.M.

- School of Nursing at Platt College, Aurora, CO BSN
After Board review of documents that addressed the non-compliant issues concerning pre-requisite course requirements and discussion, a motion was made, seconded and carried to extend the deadline to July 9, 2010 for Platt College to address the non-compliant issues.
- School of Nursing at Platt College, Aurora, CO BSN: Faculty Waiver
The Board heard testimony and reviewed documents on the request for a baccalaureate and graduate degree in nursing requirement waiver for Dr. Peter Campanella an instructor to teach the pharmacology course. After discussion, a motion was made, seconded and carried to grant a temporary waiver of one year for a pharmacologist to teach pharmacology in nursing, and nursing faculty teach the nursing portion of the course.

Curtis Powells returned to the meeting. Time: 10:58 A.M.

➤ Concorde Career College, Aurora Campus ADN

After Board review of the material submitted and acknowledgement of the changes in nursing administration at Concorde, a motion was made, seconded and carried to grant Concorde an extension of 30 days to address all the requirements for Phase IV Full Board approval.

Continuing 5 Year Approval site visits (Chapter II Section 5.1 & 5.2)

Sandy Summers recused herself, left the room and did not participate in the discussion or vote on this case. Time: 11:01 A.M.

➤ Lamar Community College, Lamar CO ADN

➤ Concorde Career College PN

The Board reviewed the materials documenting accreditation status and voted not to accept the joint site visit with NLNAC accreditation site visit in lieu of timely individual site visits for Lamar Community College and Concorde Career College. The Board agreed to reconsider this decision once the nursing education programs achieve candidacy status with NLNAC

➤ Lamar Community College, Lamar CO ADN

The Board reviewed the waiver request for achieving candidacy status from a national nursing accreditation agency for Lamar Community College and voted to waive the required January 1, 2010 deadline for one year. The Board asked that Lamar Community College submit a plan of action for achieving candidacy.

Sandy Summers returned to the meeting. Time: 11:15 A.M.

➤ Colorado Northwestern Community College, Craig, CO ADN

➤ Community College of Denver, Denver, CO ADN

➤ Northeastern Community College Sterling, CO PN

The Board reviewed the materials documenting accreditation status and voted to accept a joint site visit with NLNAC accreditation site visit in lieu of timely individual site visits for Colorado Northwestern Community College, Community College of Denver and Northeastern Community College

Conditional Approval

➤ Pickens Technical College, Aurora, CO PN

The Board reviewed the written plan of correction and voted to allow Pickens Technical College one year to address the non-compliant issues.

NCLEX-RN Pass Rates

➤ University of Phoenix, Lonetree Campus LPN to BSN

The Board reviewed the documentation of past 8 quarter pass rates for first time test takers of the NCLEX-RN exam at the University of Phoenix. After careful deliberation and review of

past problems the Board voted to withdraw Full Approval and placed University of Phoenix LPN to BSN nursing education program on Conditional Approval and require a plan of action.

Waiver Requests

Accreditation Timeline Waivers

➤ Pickens Technical College, Aurora, CO PN

The Board reviewed the waiver request for achieving candidacy status from a national nursing accreditation agency for Pickens Technical College and voted to grant an extension until January 1, 2011 for the Practical Nurse education program. The Board asked that Pickens Technical College develop a realistic timeline to be submitted to the Board at its next Full Board meeting, that takes into account the Conditional Approval status and the below 8 quarter average NCLEX-PN pass rates.

Faculty Waivers (See Above)

Other Business

➤ Impact Questionnaire Chapter II Rules and Regulations Section 4.2 B: The Board reviewed the description of impact of proposed nursing education program on existing nursing education programs and health care agencies. After discussion, a motion was made, seconded and carried to accept the questionnaire as amended.

➤ Denver School of Nursing ADN and BSN program proposed admissions.

The Board reviewed documentation requesting the Denver School of Nursing to increase admission greater than 25% in the ADN program. After discussion, a motion was made, seconded and carried to keep admissions at 24 students three times a year in the ADN and in the BSN nursing education program

Accreditation Issues

➤ Pikes Peak Community College, Colorado Springs ADN:

The Board reviewed the national nursing accreditation status of Pikes Peak Community College and after deliberations voted to grant the College an extension of one year in order to achieve candidacy status and requested that a plan of action be submitted to the Board on how the College plans to progress toward candidacy status.

➤ Emily Griffith Opportunity School, Denver, CO PN

The Board reviewed the national nursing accreditation status of Emily Griffith Opportunity School and after deliberations voted to grant the College an extension of one year in order to

achieve candidacy status and requested that a plan of action be submitted to the Board on how the School plans to progress toward candidacy status.

➤ Concorde Career College, Aurora, CO PN

The Board reviewed the national nursing accreditation status of Concorde Career College and after deliberations voted to grant the College an extension of one year in order to achieve candidacy status and requested that a plan of action be submitted to the Board on how the College plans to progress toward candidacy status.

Education Notes

The Board reviewed and noted the following education notes:

1. Otero Junior College, ADN Notification of Unqualified faculty
2. Chapter II Section 3.5 Accreditation Status of Nursing Education Programs
 - a) Progress in accreditation: Pie Chart comparing 2006 with 2010

8. Nurse Aide Training Programs Report

The Board ratified the following decisions made by Shannon St. Hilaire, Compliance Investigator.

9. Quarterly Board of Nursing and Nurse Aide Advisory Committee Reports

The Board reviewed and noted the following quarterly reports:

1. Memorandum from Rita Postolowski, Licensing & Contract Manager, with attachments including the NAAC Quarterly Report for January through March 2010.
2. Memorandum from Rita Postolowski, Licensing & Contract Manager, with attachments including the Panel Quarterly Report for January through March 2010.
3. Memorandum from Terrie Miller, Enforcement Program Manager, with attachments including the Enforcement Unit Report for January through March 2010.
4. Office fo the Attorney General – Quarterly Case Statistics Summary Report for January 2010 through March 2010.

10. Nursing Peer Health Assistance/Nurse Alternative to Discipline Program Quarterly Reports

Rebecca Heck, BSN, RN, MPH, Director presented and answered questions on the submitted quarterly reports from Peer Assistance Services. The Board reviewed a letter with attachments from Rebecca Heck and the proposed budget for Fiscal Year 2011. After discussion, a motion was made, seconded and carried to accept Peer Assistance Services fiscal year budget.

11. Update on the Clearinghouse for Clinical Placements

Deb Center, RN, MSN, CNS presented and answered questions from Center for Nursing Excellence. The Board reviewed data and educational redesign materials presented from the Center for Nursing Excellence.

Lunch Recess – 12:00 P.M. – 1:00 P.M.

The Board will recess and the meeting room will be closed to the public.

12. Rulemaking Hearing: Proposed amendments to the Chapter XIII Rules and Regulations Regarding the Delegation of Nursing Tasks

At 1:10 P.M. the Board convened a public Rulemaking Hearing published pursuant to notice in order to hear testimony and consider the proposed amendments to the Chapter XIII rules.

No staff testimony was present during the Rulemaking Hearing.

No written testimony from the public was received and reviewed by the Board prior to the Rulemaking Hearing.

No oral testimony was given by the public during the Rulemaking Hearing.

At 1:15 P.M. all public testimony was concluded and the Hearing was closed. The Board entered into a work session to discuss testimony received and to deliberate on the proposed amendments to the Chapter XIII rules.

At 1:17 P.M., after discussion, a motion was made, seconded and carried to adopt the Chapter XIII Rules and Regulations Regarding the Delegation of Nursing Tasks.

13. Rulemaking Hearing: Proposed Amendments to the Chapter XIV Rules and Regulations to Register Professional Nurses Qualified to Engage in Advanced Practice Nursing

At 1:18 P.M. the Board convened a public Rulemaking Hearing published pursuant to notice in order to hear testimony and consider the proposed amendments to the Chapter XIV rules.

Staff testimony was given by memorandum by Karen Dechant, Nurse Compact Administrator.

No written testimony from the public was received and reviewed by the Board prior to the Rulemaking hearing.

Cheryl Blankenmeier, Colorado Association of CRNA's, appeared with Fred Miles, Esq. gave testimony requesting that section 3.3 of Chapter XIV remain in the rules and regulations.

Mary Ciambelli, Colorado Nurses Association, gave testimony requesting the Board remove broad language which increases liability for nurses. There is no corresponding language in the Medical Practice Act, which means that Nurses would have a higher standard than Doctors.

At 1:28 P.M. all public testimony was concluded and the Hearing was closed. The Board entered into a work session to discuss testimony received and to deliberate on the proposed amendments to the Chapter XIV rules.

At 1:30 P.M., after discussion, a motion was made, seconded and carried to adopt the Chapter XIV Rules and Regulations to Register Professional Nurses Qualified to Engage in Advanced Practice Nursing.

14. Rulemaking Hearing: Repeal: Chapter XXI – Rules and Regulations Regarding Liability Insurance for Advanced Practice Nurses Engaged in Independent Practice

At 1:32 P.M. the Board convened a public Rulemaking Hearing published pursuant to notice in order to hear testimony and consider repealing the Chapter XXI rules.

No staff testimony was present during the Rulemaking Hearing.

No written testimony from the public was received and reviewed by the Board prior to the Rulemaking Hearing.

No oral testimony was given by the public during the Rulemaking Hearing.

At 1:42 P.M. all public testimony was concluded and the Hearing was closed. The Board entered into a work session to discuss testimony received and to deliberate on the proposed amendments to the Chapter XXI rules.

At 1:45 P.M., after discussion, a motion was made, seconded and carried to adopt the Chapter XIII Rules and Regulations Regarding the Delegation of Nursing Tasks.

15. Sample Articulated Plan presented by NPATCH

The proposed articulated plan template does meet the statutory requirements and the Board approved the plan to be posted on the BON website.

After discussion, a motion was made, seconded and carried to post the NPATCH articulated plans on the Board of Nursing website.

There being no further business, a motion was made, seconded, and carried to adjourn the Full Board meeting at 2:50 P.M., on Wednesday, April 28, 2010.

VICKI ERICKSON, PHD, NP, RN, PRESIDENT
COLORADO STATE BOARD OF NURSING